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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/536,924	05/31/2005	Wolfgang Buchhauser	S3-02P19752	6619
24131 7590 09/05/2008 LERNER GREENBERG STEMER LLP P O BOX 2480 HOLLYWOOD, FL 33022-2480			EXAMINER CHANG, RICK KILTAE	
			ART UNIT 3726	PAPER NUMBER
			MAIL DATE 09/05/2008	DELIVERY MODE PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/536,924

Applicant(s)

BUCHHAUSER ET AL.

Examiner

Rick K. Chang

Art Unit

3726

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 May 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 4-6 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 4-6 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SF/ICE)
Paper No(s)/Mail Date 5/31/05
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 4 and 6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Vennemeyer et al (US 6,705,083) in view of De Bruyn et al (US 4,899,712) and Keathley et al (US 3,795,970).

Re claim 4: Vennemeyer discloses forming the tubular base body (col. 2, lines 34-37) together with the fuel supply port, the fuel discharge port, and the fixing element as a one-piece integral component, and thereby profile-extruding the tubular base body (col. 2, lines 34-37), except for profile-extruding the tubular base body with at least one connector strip and/or one fixing strip; and hardening a surface of the high-pressure fuel accumulator by cold working the one-piece integral component.

Bruyn discloses profile-extruding the tubular base body with at least one connector strip and/or one fixing strip (8a).

Keathley discloses hardening a surface of a metal by cold working (col. 5, line 47).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vennemeyer by profile-extruding the tubular base body with at least one connector strip and/or one fixing strip; and hardening a surface of the high-pressure fuel accumulator by cold working the one-piece integral component, as taught by Bruyn and

Keathley, for the purpose of not welding the connector strip and/or one fixing strip and further relax the extrudant.

Re claim 6: Vennemeyer fails to disclose performing at least one of the following two steps: removing superfluous material from the connector strip and leaving individual connecting pieces in place; removing superfluous material from the fixing strip and leaving individual fixing elements in place.

Bruyn discloses performing at least one of the following two steps: removing superfluous material from the connector strip and leaving individual connecting pieces in place; removing superfluous material from the fixing strip and leaving individual fixing elements in place (col. 4, line 29).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vennemeyer by performing at least one of the following two steps: removing superfluous material from the connector strip and leaving individual connecting pieces in place; removing superfluous material from the fixing strip and leaving individual fixing elements in place, as taught by Bruyn, for the purpose of meeting the design criteria.

3. Claim 5 is rejected under 35 U.S.C. 103(a) as being unpatentable over Vennemeyer et al (US 6,705,083)/De Bruyn et al (US 4,899,712)/Keathley et al (US 3,795,970) as applied to claim 4 above, and further in view of Official Notice.

Vennemeyer/Bruyn/Keathley fail to disclose redrawing a tube profile through a second extruding die slightly smaller than a first extruding die.

Official Notice is taken that it is well known in the art to redrawing a tube profile through a second extruding die slightly smaller than a first extruding die to further reduce the diameter of the workpiece in order to meet the design criteria.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Vennemeyer/Bruyn/Keathley by redrawing a tube profile through a second extruding die slightly smaller than a first extruding die, as taught by Official Notice, for the purpose of further reducing the diameter of the workpiece in order to meet the design criteria.

Conclusion

4. Please provide reference numerals (either in parentheses next to the claimed limitation or in a table format with one column listing the claimed limitation and another column listing corresponding reference numerals in the remark section of the response to the Office Action) to all the claimed limitations as well as support in the disclosure for better clarity (optional).

Applicants are duly reminded that a full and proper response to this Office Action that includes any amendment to the claims and specification of the application as originally filed requires that the applicant point out the support for any amendment made to the disclosure, including the claims. See 37 CFR 1.111 and MPEP 2163.06.

5. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Rick K. Chang whose telephone number is (571) 272-4564. The examiner can normally be reached on 5:30 AM to 1:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, David P. Bryant can be reached on (571) 272-4526. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Rick K. Chang/
Primary Examiner, A.U. 3726

RC
September 6, 2008